IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CRIMINAL APPLICATION No 191 of 2002

For Approval and Signature:

Hon'ble MR.JUSTICE D.P.BUCH

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1. Whether Reporters of Local Papers may be allowed to see the judgements? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

VIMAL MADANMOHAN SHARMA

Versus

STATE OF GUJARAT

Appearance:

1. Special Criminal Application No. 191 of 2002

MR S V Raju for Mr CHETAN K PANDYA for Petitioner No. 1

Mr A J Desai, APP for Respondent No. 1

..... for Respondents No. 2-3

CORAM : MR.JUSTICE D.P.BUCH

Date of decision: 22/03/2002

ORAL JUDGEMENT

Rule. Mr A J Desai, learned APP waives service of rule for the respondents. During the course of hearing,

learned APP makes it clear that the State has no objection if the investigation is done by either of the two police stations i.e. Satellite police station or Sola police station. Learned Advocate for the petitioner states that since the incident has started within the jurisdiction of the Satellite police station, the investigation should be undertaken and concluded by it. In view of the above position, this petition is partly allowed and it is directed that the investigation into the matter in question shall be undertaken by the Satellite Police Station in accordance with law. Learned Advocate for the petitioner states here that police protection should be provided to the petitioner and in this connection he has made application on 16.2.2002 at page No.8 and the same has not been allowed. The respondents shall consider and dispose of the said application, if any, received by the State and decide the same according to law.

Rule is made absolute to the aforesaid extent. Liberty to apply in case of difficulty. D.S. permitted.

22.3.2002 [D P Buch, J.]
msp